Recorded: 2/2/2023 at 3:36:54.0 PM
County Recording Fee: $22.00
Iowa E-Filing Fee: $3.00
Combined Fee: $25.00
Revenue Tax:
Delaware County, Iowa
Daneen Schindler RECORDER
BK: 2023 PG: 257

Return To & Taxpayer: Jason R. Brown, 1320 S. Federal, Unit G, Chicago, IA 60605
Preparer: Michael J Schuster, 318 South River Park Drive, PO Box 609, Guttenberg, IA 52052, Phone: 563-252-1733

EASEMENT AGREEMENT

This Easement Agreement (Agreement) is made by and between Jason R. Brown ("Brown") and Jason S. Waterman & Kaleann Waterman, husband and wife ("Waterman") and Chad M. Bergfeld & Sadie M. Bergfeld, husband and wife ("Bergfeld") as of the date last written below.

BACKGROUND FACTS

1. Brown in the owner of: Parcel D in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty-Five (25), according to the Plat in Book 7, Plats, Page 137; and Parcel E in the Northeast Quarter (NE 1/4) of the Northeast Quarter (NE 1/4) of Section Twenty-Five (25), according to the Plat recorded in Book 7, Plats, Page 138; all in Township Eighty-Nine North (89N), Range Three (3) West of the 5th P.M., Delaware County, Iowa (the Brown Parcel).

2. Waterman is the owner of: Parcel A in the Northeast Quarter of the Northeast Quarter of Section 25, Township 89 North, Range 3 West of the 5th P.M., Delaware County, Iowa, according to the Plat in Book 6, Plats, Page 143 (the Waterman Parcel).

3. Bergfeld is the owner of: Parcel B in the Northeast Quarter of the Northeast Quarter of Section 25, Township 89 North, Range 3 West of the 5th P.M., Delaware County, Iowa, according to the Plat in Book 6, Plats, Page 143 (the Bergfeld Parcel).

4. Brown, Waterman, and Bergfeld have a right of ingress and egress to their respective parcels by reason of the Easement Agreement dated November 27, 1991 and filed for record December 5, 1991 at Book 2, Misc., Page 248 (the Easement Agreement).

5. The Easement Agreement requires the owners of residential development parcels platted after the Waterman and Bergfeld Parcels to enter into an agreement with the owners of the Waterman and Bergfeld Parcels "concerning maintenance and repair of said driveway easement".

6. What is referred to in the Easement Agreement as "the existing farm lane" is now known as Stone Briar Lane.

NOW THEREFORE, in consideration of the parties' mutual covenants, it is agreed:

1. Brown shall proportionately share the cost of the maintenance and repair of Stone Briar Lane with the other owners of real estate parcels benefitting from Stone Briar Lane's existence as a driveway and roadway, providing means of ingress and egress thereto.

2. This Easement Agreement shall be a covenant running with the land and binding on the parties, their heirs, successors, and assigns.

9/17/2022
Jason R. Brown Date

Jason S. Waterman Date

Date

Chad M. Bergfeld Date

Sadie M. Bergfeld Date

STATE OF IOWA, COUNTY OF Dubuque:
This record was acknowledged before me on September, 17th, 2022
by Jason R. Brown.

NOTARIAL SEAL IOWA
LEAH ROSE KROGMAN
Commission Number 814892
My Commission Expires
1-28-25

Leah Krogman
Signature of Notary Public

****

STATE OF IOWA, COUNTY OF _____:
This record was acknowledged before me on _____
by Jason Waterman and _____ Waterman, husband and wife.

Signature of Notary Public

****

STATE OF IOWA, COUNTY OF _____:
This record was acknowledged before me on _____
by Chad M. Bergfeld and Sadie M. Bergfeld, husband and wife.

Signature of Notary Public

1. Brown shall proportionately share the cost of the maintenance and repair of Stone Briar Lane with the other owners of real estate parcels benefitting from Stone Briar Lane's existence as a driveway and roadway, providing means of ingress and egress thereto.

2. This Easement Agreement shall be a covenant running with the land and binding on the parties, their heirs, successors, and assigns.

Jason R. Brown Date

Jason S. Waterman Sept 13th 2022 Date

Kaleena M. Waterman 9-13-22 Date

Chad M. Bergfeld Date

Sadie M. Bergfeld Date

STATE OF IOWA, COUNTY OF _____:

This record was acknowledged before me on _____ by Jason R. Brown.

Signature of Notary Public

****

STATE OF IOWA, COUNTY OF Dubuque:

This record was acknowledged before me on Sept. 13, 2022 by Jason Waterman and Kaleena M. Waterman, husband and wife.

JANA R FOX
NOTARIAL SEAL IOWA
COMMISSION NUMBER 794118
MY COMMISSION EXPIRES 1-25-25

Signature of Notary Public

****

STATE OF IOWA, COUNTY OF _____:

This record was acknowledged before me on _____ by Chad M. Bergfeld and Sadie M. Bergfeld, husband and wife.

Signature of Notary Public

1. Brown shall proportionately share the cost of the maintenance and repair of Stone Briar Lane with the other owners of real estate parcels benefitting from Stone Briar Lane's existence as a driveway and roadway, providing means of ingress and egress thereto.

2. This Easement Agreement shall be a covenant running with the land and binding on the parties, their heirs, successors, and assigns.

_____
Jason R. Brown Date

_____ _____
Jason S. Waterman Date Date

1-13-2023 1-13-23
Chad M. Bergfeld Date Sadie M. Bergfeld Date

STATE OF IOWA, COUNTY OF _____:
This record was acknowledged before me on _____
by Jason R. Brown.

_____
Signature of Notary Public

****

STATE OF IOWA, COUNTY OF _____:
This record was acknowledged before me on _____
by Jason Waterman and _____ Waterman, husband and wife.

_____
Signature of Notary Public

****

STATE OF IOWA, COUNTY OF Dubuque:
This record was acknowledged before me on January 13, 2023
by Chad M. Bergfeld and Sadie M. Bergfeld, husband and wife.

TANYA E. OSTWINKLE
Commission Number 704271
MY COMMISSION EXPIRES
7-25-2024

Tanya Ostwinkle
Signature of Notary Public